

# Senate Amendment 5122

PAG LIN

1 1 Amend House File 2240, as passed by the House, as  
1 2 follows:  
1 3 #1. Page 1, by inserting before line 1 the  
1 4 following:  
1 5 <Section 1. Section 69.14A, subsection 1,  
1 6 unnumbered paragraph 1, Code 2005, is amended to read  
1 7 as follows:  
1 8 A vacancy on the board of supervisors shall be  
1 9 filled by one of the ~~two~~ following procedures:  
1 10 Sec. \_\_\_\_\_. Section 69.14A, subsection 1, Code 2005,  
1 11 is amended by adding the following new paragraph:  
1 12 NEW PARAGRAPH. c. For a vacancy declared by the  
1 13 board pursuant to section 331.214, subsection 2, by  
1 14 special election held to fill the office if the  
1 15 remaining balance of the unexpired term is two and  
1 16 one-half years or more. The committee of county  
1 17 officers designated to fill the vacancy in section  
1 18 69.8 shall order the special election at the earliest  
1 19 practicable date, but giving at least thirty-two days'  
1 20 notice of the election. A special election called  
1 21 under this section shall be held on a Tuesday and  
1 22 shall not be held on the same day as a school election  
1 23 within the county. The office shall be listed on the  
1 24 ballot, as "For Board of Supervisors, To Fill  
1 25 Vacancy". The person elected at the special election  
1 26 shall serve the balance of the unexpired term.>  
1 27 #2. Page 1, line 22 by inserting after the word  
1 28 <board> the following: <shall appoint a physician and  
1 29 the family of the supervisor shall appoint a physician  
1 30 to examine the supervisor. For purposes of this  
1 31 subsection, "family" means the parent, spouse, or  
1 32 child of the supervisor. If the family does not  
1 33 appoint a physician, the board>.  
1 34 #3. Page 1, line 23, by striking the word <and>  
1 35 and inserting the following: < The board shall>.  
1 36 #4. Page 1, line 30, by inserting after the word  
1 37 <term.> the following: <However, if the physicians  
1 38 concur that the supervisor is mentally incapable of  
1 39 performing the duties of office, the board shall not  
1 40 declare the supervisor's seat vacant for one year from  
1 41 the date of the hearing if the supervisor is receiving  
1 42 treatment for the mental incapacity.>  
1 43 #5. Page 1, by inserting after line 35 the  
1 44 following:  
1 45 <c. If the board declares a vacancy under this  
1 46 subsection and the remaining balance of the  
1 47 supervisor's unexpired term is two and one-half years  
1 48 or more, a special election shall be held to fill the  
1 49 office as provided in section 69.14A, subsection 1,  
1 50 paragraph "c".>  
2 1 #6. By renumbering as necessary.  
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2 3  
2 4  
2 5 COMMITTEE ON LOCAL GOVERNMENT  
2 6 HERMAN C. QUIRMBACH, CO=CHAIRPERSON  
2 7  
2 8  
2 9  
2 10 DOUG SHULL, CO=CHAIRPERSON  
2 11 HF 2240.202 81  
2 12 eg/sh/0913